

P21790.P01

**UTILITY
PATENT APPLICATION
TRANSMISSION**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. P21790 Total Pages

Inventor(s) or Application Identifier
Armin SCHLEMMER and Gerhard MELCHER

Title: CUTTING TOOL AND INDEXABLE INSERT

JC 698 U.S. PTO
01/15/02
ADDRESS TO:Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231J1017 U.S. PTO
01/15/02**APPLICATION ELEMENTS****ACCOMPANYING APPLICATION PARTS**

Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)

2. Applicant claims small entity status.
See 37 CFR 1.27.
a. Small Entity Statement(s)

3. Specification [Total Pages 20]
(preferred arrangement set forth below)
- Descriptive title of the Invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. Drawing(s) (35 USC 113) [Total Sheets 3]

5. Oath or Declaration [Total Pages 3]
a. Newly executed (original or copy) Unexecuted
b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 20 completed)
[Note Box 6 below]
i. DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. Incorporation By Reference (useable if Box 5b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

7. Application Data Sheet. See 37 CFR 1.76

8. CD-Rom or CD-R in duplicate, large table or Computer Program (Appendix)

9. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
a. Computer Readable Form (CRF)
b. Specification Sequence Listing on:
i. CD-ROM or CD-R (2 copies); or
ii. paper
c. Statements verifying identity of above copies

10. Assignment Papers (cover sheet & document(s))

11. 37 CFR 3.73(b) Statement (when there is an assignee) Power of Attorney

12. English Translation Document (if applicable)

13. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations

14. Preliminary Amendment

15. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)

16. Figure of Drawing to be published 1

17. Foreign priority claimed
a. Claim of Priority
b. Certified Copy of Priority Document(s)

18. Assignee: BÖHLERIT Ges.mb.H & Co. KG of Kapfenberg, AUSTRIA

19. Other: Cover Letter Regarding Executed Application

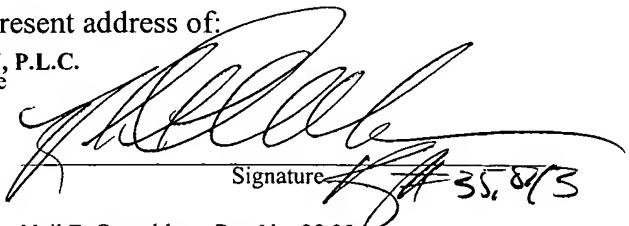
20. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

Continuation Divisional Continuation-in-part (CIP) of prior Application No. /, filed _____.
Prior application information: Examiner: _____ Group Art Unit: _____

21. Amend the specification by inserting before the first line the sentence:
This application is a continuation-in-part, continuation, divisional, of Application No. /, filed _____

Address all future correspondence to Customer No. 7055 at the present address of:

GREENBLUM & BERNSTEIN, P.L.C.
1941 Roland Clarke Place
Reston, VA 20191
(703) 716-1191


Signature: 35,873
Neil F. Greenblum, Reg No. 28,394
Typed or Printed Name

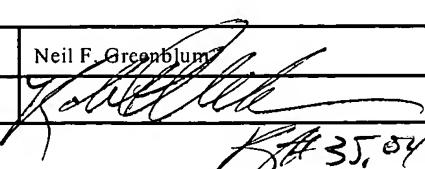


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PATENT TRADEMARK OFFICE

FEE TRANSMITTAL

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ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Prior to Examiner action</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>Requesting publication of SIR after</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Examiner action</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for response within 1st month</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>Extension for response within 2nd month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for response within 3rd month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for response within 4th month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for response within 5th month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive unavoidably abandoned application</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive unintentionally abandoned application</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr> <td colspan="4"> SUBTOTAL (1) (\$) <u>740</u> </td> <td>123</td> <td>50</td> <td>123</td> <td>50</td> </tr> <tr> <td colspan="4"> 2. 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SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name		Neil F. Greenblum		Reg. Number	28,394
Signature		 <i>Kobell LLC</i> <i>BB 35.043</i>		Date	01/15/02
				Deposit Account User ID	

P21790.P04

11017 U.S. PRO 10/045042
01/15/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : A. SCHLEMMER et al.

Serial No. : Not Yet Assigned

Filed : Concurrently Herewith

For : CUTTING TOOL AND INDEXABLE INSERT

CLAIM OF PRIORITY

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Applicant hereby claims the right of priority granted pursuant to 35 U.S.C. 119 based upon Austrian Application No. 88/2000, filed January 18, 2001.

Respectfully submitted,
A. SCHLEMMER et al.

Neil F. Greenblum
Reg. No. 28,394

January 15, 2002
GREENBLUM & BERNSTEIN, P.L.C.
1941 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Armin SCHLEMMER et al.

Applications Branch

Appln. No : Not yet assigned

Filed : Concurrently herewith

For : CUTTING TOOL AND INDEXABLE INSERT

COVER LETTER REGARDING EXECUTED APPLICATION

Commissioner of Patents and Trademarks
Washington, DC 20231

Sir :

The undersigned points out that the executed application being filed herewith includes copies of pages 1 - 3 of an executed Declaration forwarded by facsimile, and pages 1 - 20 and 3 sheets of drawings which were added by the law firm of the undersigned, which are identical to pages 1 - 20 and 3 sheets of drawings forwarded for execution. Further, the undersigned has been advised that the application was physically present when the inventors executed the Declaration.

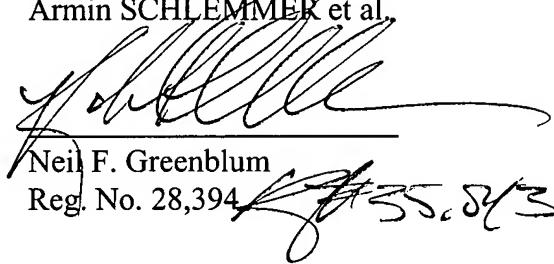
Accordingly, Applicants respectfully submit that the present application is properly executed and should be considered as filed in executed form. However, if the U.S. Patent and Trademark Office determines that the present application is not properly executed, Applicants respectfully request that the present application be treated as an unexecuted application under 37

P21790.A01

C.F.R. 1.53(b) and (f).

Should there be any questions or comments, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Armin SCHLEMMER et al.



Neil F. Greenblum
Reg. No. 28,394

January 15, 2002
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